



Entered on Docket  
April 12, 2011

Hon. Mike K. Nakagawa  
United States Bankruptcy Judge

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Attorneys for Secured Creditor WELLS FARGO BANK, N.A. ALSO KNOWN AS  
WACHOVIA MORTGAGE, A DIVISION OF WELLS FARGO BANK, N.A.,  
AND FORMERLY KNOWN AS WACHOVIA MORTGAGE FSB,  
FORMERLY KNOWN AS WORLD SAVINGS BANK, FSB

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re	Bankruptcy Case No. BK-S-10-33081-mkn Chapter 13
WILLIS R CALHOUN AND ANNETTE M CALHOUN,	WELLS FARGO BANK, N.A. ALSO KNOWN AS WACHOVIA MORTGAGE, A DIVISION OF WELLS FARGO BANK, N.A., AND FORMERLY KNOWN AS WACHOVIA MORTGAGE FSB, FORMERLY KNOWN AS WORLD SAVINGS BANK, FSB'S ORDER TERMINATING AUTOMATIC STAY
Debtor(s).	Date: March 9, 2011 Time: 1:30 P.M.

1           A hearing on Secured Creditor Wells Fargo Bank, N.A. also known as Wachovia  
2 Mortgage, a division of Wells Fargo Bank, N.A, and formerly known as Wachovia Mortgage  
3 FSB, formerly known as World Savings Bank, FSB's Motion for Relief From the Automatic  
4 Stay came on regularly for hearing in the United States Bankruptcy Court before the Honorable  
5 Mike K. Nakagawa, Matthew M. McArthur appearing on behalf of Secured Creditor.

6           The court having duly considered the papers and pleadings on file herein and  
7 being fully advised thereon and finding cause therefor:

8           **IT IS HEREBY ORDERED, ADJUDGED AND DECREED:**

9           The automatic stay of 11 United States Code section 362 is hereby immediately  
10 terminated as it applies to the enforcement by Movant of all of its rights in the real property  
11 under the Note and Deed of Trust encumbering the real property commonly known as 9832 La  
12 Vid Ct, Las Vegas, Nevada 89117-6697 ("Real Property"), which is legally described as:

13           **SEE LEGAL DESCRIPTION ATTACHED  
14 HERETO AS EXHIBIT A AND MADE A PART  
HEREOF .**

15           **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that Movant and/or  
16 its foreclosure trustee shall mail written notice of the time, date and place of the foreclosure sale  
17 of the Real Property to the Debtor(s) at the address for the Real Property at least 7 calendar days  
18 prior to the foreclosure sale. In the event that Movant and/or its foreclosure trustee provides at  
19 least 7 calendar days' advance notice of the time, date and place of the foreclosure sale of the  
20 Real Property in compliance with the notice requirements set forth in Chapter 107 of Nevada  
21 Revised Statutes, those notices shall be sufficient to satisfy the requirement of this Court to  
22 provide 7 days' notice to the Debtor(s).

23           **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that Movant may  
24 offer and provide Debtors with information re: a potential Forbearance Agreement, Loan  
25 Modification, Refinance Agreement, or other Loan Workout/Loss Mitigation Agreement, and  
26 may enter into such agreement with Debtors. However, Movant may not enforce, or threaten to  
27 enforce, any personal liability against Debtors if Debtors' personal liability is discharged in this  
28 bankruptcy case.

1 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon entry of  
2 this Order, the Trustee shall cease payment on Secured Creditor's Proof of Claim. Secured  
3 Creditor's Proof of Claim is allowed in t he amount of payments made to date by the Trustee.

4 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon  
5 disposition of the Real Property, Secured Creditor may amend said Proof of Claim and share in  
6 any distribution from the date of the filing of the amended Claim pursuant to the confirmed Plan.

7 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Trustee is  
8 not required to recover previous distributions from other creditors for distribution on Secured  
9 Creditor's amended claim. This may result in a percentage of payment on Secured Creditor's  
10 amended Claim different than to other creditors.

11 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that this order shall  
12 be binding and effective and supersede any subsequently entered confirmation order that  
13 confirms a Chapter 13 Plan of Reorganization providing for the treatment of Movant's claim.

14 APPROVED/DISAPPROVED APPROVED/DISAPPROVED  
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16 DAVID KRIEGER KATHLEEN A. LEAVITT  
17 DEBTOR(S) ATTORNEY TRUSTEE

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2 EXHIBIT "A"  
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4 ALL THAT REAL PROPERTY SITUATED IN THE CITY OF LAS VEGAS COUNTY  
5 OF CLARK, STATE OF NEVADA DESCRIBED AS FOLLOWS:  
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SITUATE IN THE COUNTY OF CLARK, STATE OF NEVADA DESCRIBED AS  
FOLLOWS:

7 PARCEL I:

8 LOT ONE HUNDRED TWENTY-TWO (122) IN BLOCK (2) OF PECCOLE VILLAGE  
9 BY SIGNATURE HOMES - UNIT 3, AS SHOWN BY MAP THEREOF ON FILE IN  
BOOK 78 OF PLATS, PAGE 82, IN THE OFFICE OF THE COUNTY RECORDER  
10 OF CLARK COUNTY, NEVADA.

11 PARCEL II:

12 A NON-EXCLUSIVE EASEMENT FOR INGRESS/EGRESS, USE, AND ENJOYMENT  
13 OVER THOSE PORTIONS DELINEATED AS "COMMON AREA" AS SHOWN ON PLAT  
14 OF SAID SUBDIVISION AND FURTHER DESCRIBED IN THAT CERTAIN AMENDED  
AND RESTATED MASTER DECLARATION OF COVENANTS, CONDITIONS,  
RESTRICTIONS AND EASEMENTS, RECORDED AUGUST 27, 1990 IN BOOK  
900827 OF OFFICIAL RECORDS AS DOCUMENT NO. 00428.

15 FOR INFORMATION PURPOSES ONLY: THE APN IS SHOWN BY THE COUNTY  
16 ASSESSOR AS 163-06-217-022; SOURCE OF TITLE IS 971218-00599  
(RECORDED 12/18/97)

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1 In accordance with LR 9021, counsel submitting this document certifies that the order accurately  
2 reflects the court's ruling and that (check one):

3  The court has waived the requirement set forth in LR 9021(b)(1).  
4  No party appeared at the hearing or filed an objection to the motion.  
5  I have delivered a copy of this proposed order to all counsel who appeared at the hearing,  
6 and any unrepresented parties who appeared at the hearing, and each has approved or  
7 disapproved the order, or failed to respond, as indicated below [list each party and whether the  
8 party has approved, disapproved, or failed to respond to the document]:

9  Approved.  
10  Disapproved.  
11  Failed to respond.

12  
13  I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order  
14 with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of  
15 the order.

16 #####

17 Submitted by:

18 /s/ MATTHEW M. MCARTHUR  
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21 Attorney for WELLS FARGO  
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WORLD SAVINGS BANK,  
FSB

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